

REMARKS

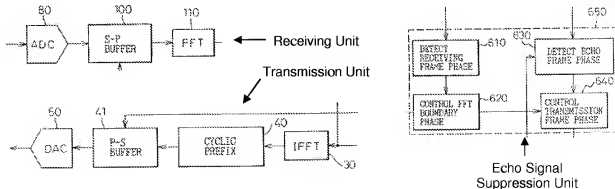
This amendment is responsive to the Non-Final Office Action dated on May 29, 2009. Claims 1-3, 5-11 and 13-39 are pending in the application and stand rejected. Claims 4 and 12 are objected to. Claims 1, 2, 4, 6-10, 12, 14-17, 20, 25-28, and 37-39 have been amended. In view of the following remarks, Applicant respectfully submits that this application is in complete condition for allowance and requests reconsideration of the application in this regard.

As a preliminary matter, Applicant has amended the claims to correct typographical errors and to assist in readability. These amendments did not introduce any substantive changes to the claims.

Rejections under 35 USC §102

The Examiner has rejected claims 1-3, 5-11 and 13-39 under 35 U.S.C. § 102(c) as being anticipated by U.S. Publication No. 2004/0066920 by Vandermeijden (*Vandermeijden*). Of these claims 1, 9, 17 and 28 are the independent claims. However, upon further reading of the Office Action, it appears to Applicant that the Examiner actually rejected the claims as being anticipated by U.S. Patent No. 6,845,125 by Sasaki et al (*Sasaki*). Since all of the citations to the references coincide with *Sasaki*, Applicant will assume that this is the reference that the Examiner intended for the rejection and will respond accordingly.

Independent claim 1 recites “reducing the echo signal with an echo rejecter at an input of the ADC, wherein the echo rejecter has an analog portion and a digital portion.” The Examiner points to *Sasaki* col. 5, ll. 44-58 and col. 6, ll. 4-12 as the alleged disclosure of this claimed subject matter. Furthermore, these passages refer to components in FIG. 6. The block diagram in FIG. 6 includes a receiving unit, transmission unit and an echo suppression unit as indicated in the selected portions of FIG. 6 below. See *Sasaki*, col. 5, ll. 49-58.



other side of the ADC would render the echo reduction circuit inoperable. Thus *Sasaki* cannot render the claims obvious.

In case that it was the Examiner's intention to rely on *Vandermeijden*, this reference is directed to a method and apparatus for automatically populating a contact database in a mobile communication device. This reference fails to disclose an echo rejecter, muchless an echo rejecter having an analog portion and a digital portion. Therefore Applicant's claims 1-3, and 5-8 are also not anticipated by *Vandermeijden*.

With respect to independent claim 9, this claim also recites that "the echo rejecter has an analog portion and a digital portion." As set forth above with respect to independent claim 1, neither *Sasaki* nor *Vandermeijden* disclose an echo rejector or any other echo cancellation circuit with an analog and a digital portion. Also as set forth above, in order for a reference to anticipate a claimed invention, the reference must teach each and every element in the precise arrangement set forth in the claim. *See* MPEP § 2131. If the reference fails to teach even one of the claimed features, the reference does not and cannot anticipate the claimed invention. Based on the deficiencies of both *Sasaki* and *Vandermeijden* identified above, Applicant respectfully requests that the rejections for claim 9, and claims 11 and 13-16 which depend therefrom, be withdrawn.

With respect to independent claim 17, this claim also recites that "the echo rejecter has an analog portion and a digital portion." As set forth above with respect to independent claims 1 and 9, neither *Sasaki* nor *Vandermeijden* disclose an echo rejector or any other echo cancellation circuit with an analog and a digital portion. Therefore, based on the deficiencies of both *Sasaki* and *Vandermeijden* identified above, Applicant respectfully requests that the rejections for claim 9, and claims 18-27 which depend therefrom, be withdrawn.

With respect to independent claim 28, this claim also recites that "the echo rejecter has an analog portion and a digital portion." As set forth above with respect to independent claims 1, 9, and 17, neither *Sasaki* nor *Vandermeijden* disclose an echo rejector or any other echo cancellation circuit with an analog and a digital portion. Therefore, based on the deficiencies of both *Sasaki* and *Vandermeijden* identified above, Applicant respectfully requests that the rejections for claim 28, and claims 29-39 which depend therefrom, be withdrawn.

Conclusion

Applicant has made a bona fide effort to respond to each and every requirement set forth in the Office Action. In view of the foregoing amendments to the claims and remarks given herein, Applicant respectfully believes this case is in condition for allowance and respectfully requests allowance of the pending claims. If the Examiner believes any detailed language of the claims requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicant is of the opinion that no additional fee, except for a one month extension of time, which is hereby requested, is due as a result of this Amendment. Payment of all charges due for this filing is made on the attached Electronic Fee Sheet. If any additional charges or credits are necessary to complete this communication, please apply them to Deposit Account No. 23-3000.

Respectfully submitted,

September 29, 2009
Date

/Charles R. Figer, Jr./
Charles R. Figer, Jr.
Reg. No. 62,518

WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
Telephone: (513) 241-2324
Facsimile: (513) 241-6234

997347v1